IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 15TH MAY 2007 / 25TH VAISAKHA 1929

Bail Appl..No. 2810 of 2007()

CRIME NO.258/06 OF PATHANAMTHITTA POLICE STATION

: PETITIONER/ERD ACCUSED.

PHILIP, AGED 30 YEARS,
S/O. YOHANNAN, THURUTHIPPALLY HOUSE, ERAM MURI,
OONNUKAL PANCHAYAT AND VILLAGE, PATHANAMTHITTA.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS: COMPLAINANT AND STATE.

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1. C.I. OF POLICE, PATHANAMTHITTA
POLICE STATION.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 2810 of 2007

DATED: 15.5.2007

O R D E R

Petitioner who is the 3rd accused in Crime No.258 of 2006 of Pathanamthitta Police Station for offences punishable under Secs. 376, 506 (1) and 450 of I.P.C. seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between **22-5-2007** and **24.5.07** for the purpose of interrogation and potency test. The petitioner shall thereafter be produced on the same day before the Magistrate who shall consider and dispose of his application preferably on the same date on which it is filed.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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